



# Pipe-lines Act 1962

## 1962 CHAPTER 58

### *Exclusion of certain Pipe-lines and Works from Scope of Act*

#### **58 Exclusion of application of Act to, and in relation to, pipe-lines of certain statutory bodies**

- (1) The bodies to which this section applies are—
  - (a) the area boards established by the Gas Act, 1948;
  - (b) the Gas Council;
  - (c) the boards established by the Electricity Act, 1947 ;
  - (d) the boards established by the Electricity (Scotland) Acts, 1943 to 1957;
  - (e) the Central Electricity Generating Board; and
  - (f) the United Kingdom Atomic Energy Authority.
- (2) Sections one and two of this Act shall not apply to works executed by a body to which this section applies.
- (3) The following provisions of this Act shall not apply to a body to which this section applies, namely, sections eleven, twelve and fifteen, subsection (1) of section seventeen, and sections twenty, twenty-three, twenty-five, thirty-nine, and forty-five.
- (4) In the following provisions of this Act, namely, subsection (2) of section seventeen, subsection (1) of section twenty-four, section twenty-six, subsection (1) of section twenty-seven, subsection (1) of section thirty-one, subsection (1) of section thirty-three, subsection (1) of section thirty-six, and sections thirty-seven, thirty-eight, forty and forty-two, references to a pipe-line shall be construed as not including references to a pipe-line vested in a body to which this section applies.
- (5) In subsection (1) of section twenty-four and in section forty-two of this Act the references to pipe-line works shall be construed as not including references to such works executed by a body to which this section applies.

**59 Exclusion of application of Act to, and in relation to, certain pipe-lines of railway undertakers**

- (1) Sections one and two of this Act shall not apply to works executed by railway undertakers for the purposes of their business other than the operation of pipe-lines.
- (2) Sections eleven and twelve of this Act shall not have effect for the purpose of authorising railway undertakers to purchase land for the placing therein of a pipe-line to be constructed for the purposes aforesaid or a length of pipe-line to be so constructed or to place in land a pipe-line to be so constructed or a length of a pipe-line to be so constructed.
- (3) Section fifteen of this Act shall not operate to empower railway undertakers to place in a street a pipe-line constructed for the purposes aforesaid.
- (4) In subsection (1) of section twenty of this Act the reference to works in land for the construction of a pipe-line shall be construed as not including a reference to works for the construction of a pipe-line by railway undertakers for the purposes aforesaid.
- (5) In the following provisions of this Act, namely, section twenty-three, subsection (1) of section twenty-four, sections twenty-five and twenty-six, subsection (1) of section twenty-seven, subsection (1) of section thirty-one, subsection (1) of section thirty-three, subsection (1) of section thirty-six and sections thirty-seven, thirty-eight, forty and forty-two, references to a pipe-line shall be construed as not including a pipe-line vested in railway undertakers for the purposes aforesaid.
- (6) In subsection (1) of section twenty-four and in section forty-two of this Act the references to pipe-line works shall be construed as not including references to pipe-line works executed by railway undertakers for the purposes aforesaid.

**60 Exclusion of application of Act to, and in relation to, pipe-lines in factories, mine or quarry premises or petroleum depots**

- (1) References in sections one to forty and forty-two of this Act to a pipe-line shall be construed as not including references to a pipe-line forming part of the equipment of, and situate wholly within, a factory, to a pipe-line forming part of the equipment of, and situate wholly within premises comprised in, a mine or quarry, or to a pipe-line forming part of the equipment of, and situate wholly within, a petroleum depot, and references in subsection (1) of section twenty-four of this Act and in the said section forty-two to pipe-line works shall be construed as not including references to such works executed in or at a factory, mine, quarry or petroleum depot in connection with any such pipe-line as aforesaid.
- (2) References in the said sections one to forty of this Act to a pipe-line shall be construed as not including references—
  - (a) to so much of a pipe-line forming part of the equipment of, and situate partly within and partly outside a factory, as is situate within the factory,
  - (b) to so much of a pipe-line forming part of the equipment of, and situate partly within and partly outside premises comprised in, a mine or quarry, as is situate within those premises, or
  - (c) to so much of a pipe-line forming part of the equipment of, and situate partly within and partly outside, a petroleum depot, as it situate within the depot;
 the references in subsection (1) of section twenty-four of this Act and in the said section forty-two to pipe-line works shall be construed as not including references to

such works executed in or at a factory, mine, quarry or petroleum depot in connection with so much of any such pipe-line as aforesaid as is or will be situate within, as the case may be, the factory, the said premises or the depot; and in computing for the purposes of this Act the length of a pipe-line that is or will be one to which the foregoing provisions of this subsection apply there shall be disregarded so much of the line as is or will be situate within, as the case may be, the factory of whose equipment it forms or will form part, the premises comprised in the mine or quarry of whose equipment it forms or will form part or the petroleum depot of whose equipment it forms or will form part.

- (3) In this section—
- (a) "factory" has the same meaning as in the Factories Act, 1961;
  - (b) "mine" and "quarry" have the same meanings as in the Mines and Quarries Act, 1954;
  - (c) "petroleum depot" means premises used or appropriated for use wholly or mainly for the storage of petroleum spirit and includes a petroleum filling station, and "petroleum filling station" and "petroleum spirit" have the meanings assigned to these expressions respectively by section twenty-three of the Petroleum (Consolidation) Act, 1928.

**61 Exclusion of application of Act to, and in relation to, dock, and c, pipe-lines**

References in sections one to forty and forty-two of this Act to a pipe-line and to pipe-line works shall be construed as respectively not including references to a pipe-line wholly situate in premises to which certain provisions of the Factories Act, 1961, apply by virtue of subsection (1) of section one hundred and twenty-five (docks, &c.) of that Act, and to pipeline works executed in connection with a pipe-line that is or will be wholly so situate.

**62 Sections 27 and 31 not to apply to government pipe-lines**

References in sections twenty-seven and thirty-one of this Act to a pipe-line shall be construed as not including references to a pipe-line that is a government oil pipe-line within the meaning of the Requisitioned Land and War Works Act, 1948, or to a pipe-line that was laid under a wayleave order made under section fourteen of the Land Powers (Defence) Act, 1958.

**63 Exclusion of application of certain provisions of Act to pipe-lines whose construction has been begun or authorised by Act**

- (1) Sections one and two of this Act shall not apply to works the execution of which has been begun before the date on which those sections come into operation or to works the execution of which has been authorised by an Act passed before that date.
- (2) References in sections fifteen, seventeen, twenty-seven and thirty-one of this Act to a pipe-line shall be construed as not including references to a pipe-line for the construction of which the execution of works has been authorised as aforesaid.

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*Status: This is the original version (as it was originally enacted).*

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**64 Power of Minister to exclude application of sections 1 and 2 in relation to certain pipe-lines in particular localities**

The Minister, on an application in that behalf being made to him, and after causing if he thinks fit a public inquiry to be held, may by order (made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament) direct that sections one and two of this Act shall not apply to works executed for the construction of a pipe-line designed for the conveyance of a thing of a particular kind specified in the order or things of a class so specified, being a pipe-line wholly situate within such area as may be specified in, or described by, the order.